

Serial No. 09/903,024

Group Art Unit: 2653

**Amendments in the Drawings**

Figure 8 has been amended to replace reference number "360" with "300" as shown in the attached replacement drawing of Figure 8.

Attachment: Replacement drawing Figure 8

### **REMARKS**

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1, 13, 19, 20 and 22 have been amended. Support for the amendments can be found in at least the specification, Figures 6-10, and the claims as originally filed. No new matter has been added.

#### **Telephone Interview**

Applicant's representative Joshua Randall (Reg. No. 50,719) conducted a telephone interview with Examiners Magee and Letcher on May 20, 2004. The Berding reference was discussed at length in view of the limitations of claims 1, 13, 19, 20 and 22. Claim language agreed upon by the parties as allowable over the Berding reference is shown in the amended claims listed above.

#### **Objection to the Drawings**

Figure 8 has been amended to replace the reference number "360" with "300". No new matter has been added.

#### **§102 Rejections**

Claims 1-4, 6, 10, 12-14, 17, 19, 20, and 22-24 were rejected under 35 U.S.C. §102(e) as being anticipated by Berding (US 6,307,715). Applicant respectfully traverses this rejection.

Berding discloses in Figure 4 a hinge region 80 that is formed by making a pair of somewhat U-shaped cuts in a resilient planar sheet 82. The resulting flaps 88, 90 defined by the cuts are bent upward for increased stability and torsional stiffness. See col. 6, lines 26-34 of Berding. Uncut regions 84, 86 extend along sides of the flaps 88, 90 thereby connecting material of the sheet 82 on opposing sides of the flaps 88, 90. The regions 84, 86 provide a load path through which forces being transferred through hinge region 80 can pass without those forces passing through the bent up flaps 88, 90. Therefore, Berding fails to disclose "the open channel being positioned in the load path such that the forces transmitted between the base and the load beam pass through the open channel in their entirety," as required by claims 1 and 22.

Although the flaps 88, 90 span much of the width of the hinge region 80, as shown in Figure 4, neither of the flaps individually or in combination extend across uncut regions 84, 86.

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Therefore, Berding fails to disclose "in combination a portion of the first and second rails extend across substantially all of the bend section width," as required by claim 13.

Claim 19 has been amended to require "whereby the rail includes at least two segments along the rail width and the base of the load beam is coupled to the bend section between two of the rail segments." The limitation "the rail includes at least two segments along the rail width" was taken from allowable claim 7. Berding fails to disclose a rail having two segments along the rail width. Therefore, Berding fails to disclose every limitation of claim 19.

Referring again to Figure 4 of Berding, the flaps 88, 90 are connected to the rest of the sheet 82 via the material (not identified with a reference number in Figure 4 of Berding) that extends between uncut regions 84, 86 and the flaps 88, 90. It is this material that connects the flaps 88, 90 to form, for the sake of argument, an "open channel." This "open channel" is connected to the uncut regions 84, 86 at the ends of the flaps 88, 90. Therefore, Berding fails to disclose "whereby the base or the load beam is attached to the stiffening means within the width of the first or second rail," as required by claim 20.

Claim 22 has been amended to recite "the open channel being positioned in the load path such that the forces transmitted between the base and the load beam pass through the open channel in their entirety," as required by claim 1. Applicant submits that claim 22 is allowable over Berding for at least the same reasons stated above concerning the allowability of claim 1.

Applicant respectfully submits that Berding fails to disclose every limitation of claim 1, 13, 19, 20 and 22, and the claims that depend from them.

Examiner's Response to Arguments

In response to the Examiner's comments related to intended use limitations in claims 1, 13, 19 and 20, Applicant respectfully disagrees. The limitations set forth in claim 1, 13, 19 and 20 relate to structural features and orientation of features that provide advantageous results as compared to the disclosure of Berding. As discussed above, Applicant submits that Berding fails to disclose at least one of these structural limitations in each of claims 1, 13, 19 and 20.

Allowable Subject Matter

Applicant kindly thanks the Examiner for the indication of allowable subject matter in claim 7, 9, 11, 15, 16, 18 and 25, and for the allowance of claim 21, 26, and 27. Applicant

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submits that claims 21, 26 and 27 may be allowable for additional reasons to those set forth by the Examiner.


Conclusion

In view of the above amendments and comments presented herein, favorable reconsideration in the form of a Notice of Allowance is respectfully requested. If the Examiner has any questions in regard to the foregoing, he is respectfully requested to contact Applicant's attorney below at (612) 336-4755.

Respectfully submitted,

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